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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,362	09/08/2003	Michael A. Killian	02 P 15176 US / INTECH 3.	9502
530	7590	06/07/2004	EXAMINER NGUYEN, MINH T	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			ART UNIT 2816	PAPER NUMBER

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/657,362

Applicant(s)

KILLIAN ET AL.

Examiner

Minh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/8/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 28 and 33 are objected to because of the following informalities:

In claim 28, last line, -- . -- should be added at the end of the claim.

In claim 33, line 27, "a first condition" should be changed to -- the first condition --, see line 20,

line 29, "a second condition" should be changed to -- the second condition --, see line 22.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,728,148, issued to Yamauchi.

As per claim 25, Yamauchi discloses a circuit (Figs. 1A-B), comprising:

a device (the latch in the block 12 having two inverters connected in antiparallel configuration) operable to remain in one of at least a first state and a second state (this is merely the operation of any latch);

a first input (FET QN1) operable to receive a first signal (RSTn) which sets said device in said first state (VSS at node 15, QN1 ON) when a fuse is in a first condition (unblown) and keeps a state of said device unchanged (the voltage at node 15 is unchanged) when said fuse is in a second condition (blown); and

a second input (FET QP1) operable to receive a second signal (RSTp), while said first signal is being supplied to said first input (Fig. 2, the period T2, RSTn is HI and RSTp is L), that keeps said device in said first state (since QN1 is still ON) when said fuse is in said first condition (unblown) and sets said device in said second state (VDD at node 15) when said fuse is

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in said second condition (blown). The operation can be further understood by studying the waveforms shown in Fig. 2.

As per claim 26, the recitation is clearly discussed in claim 25.

As per claim 27, the latch circuit 12 clearly meets the recited limitation, the common input and output terminals read on nodes 15 and 16, respectively.

As per claim 28, the recited first input reads on the NFET QN1 connected as recited, the strobe line is seen as line 14.

As per claim 29, the recited second input reads on the PFET QP1 having the source connected to VDD, drain coupled to the fuse 10 through QN1, and the precharge-line is seen as line 13 coupled to the gate of QP1.

As per claim 30, the recitation is clearly discussed in claim 25.

As per claim 31, the RSTn is seen as the strobe signal because RSTn is a pulse to “strobe” the FET QN1 to ON or OFF state.

As per claim 32, the RSTp is seen as the pre-charge signal because it provides VDD voltage to node 15.

As per claim 33, this claim is merely a combination of claims 25 and 27-29, and therefore, is rejected for the reasons discussed in these claims. Note that the word “coupled” means it is electrically connected.

As per claims 34-37, these claims are rejected for the reasons noted in claims 26 and 30-32, respectively.

As per claims 1-5, these claims are rejected for the reasons discussed in claims 25-26, 31-32 and 30, respectively.

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As per claim 6, see Fig. 2, end of period T2.

As per claims 7-12, these claims are rejected for the same reasons noted in claims 1-6, respectively.

As per claims 13-18, these claims are rejected for the same reasons noted in claims 1-6, respectively. Further, the recited structure is referred to claim 33 discussed above.

As per claims 19-24, these claims are rejected for the same reasons noted in claims 1-6, respectively. Further, the recited structure is referred to claim 33 discussed above.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Nguyen whose telephone number is 571-272-1748. The examiner can normally be reached on Monday, Tuesday, Thursday, Friday 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



5/28/04

Minh Nguyen  
Primary Examiner  
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